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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

KAREN J. SHEA and THOMAS SHEA,

Plaintiffs,

-against-

EXACTECH, INC.,

Defendant.

1:23-cv-09248-MKV

ORDER DENYING MOTION TO
STAY AS MOOT

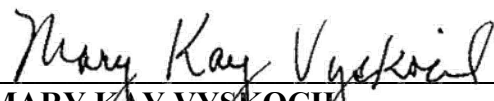
MARY KAY VYSKOCIL, United States District Judge:

This action was initiated on October 20, 2023 upon removal from New York Supreme Court, New York County. [ECF No. 1]. On October 31, 2023, Defendant filed a motion to stay all pretrial activity in this action pending transfer of the case by the Judicial Panel on Multidistrict Litigation (“JPML”), pursuant to 28 U.S.C. § 1407, to *In Re: Exactech Polyethylene Orthopedic Products Liability Litigation*, MDL No. 3044, pending before Judge Nicholas G. Garaufis in the United States District Court for the Eastern District of New York (the “MDL”). [ECF No. 7]. On November 22, 2023, this action was transferred by the JPML to the Eastern District of New York and assigned to Judge Garaufis. [ECF No. 10].

Accordingly, in light of this action’s transfer to the MDL, the Court DENIES Defendant’s motion to stay as moot. The Clerk of Court is respectfully requested to terminate the motion pending at docket entry 7.

SO ORDERED.

Date: November 27, 2023
New York, NY


MARY KAY VYSKOCIL
United States District Judge